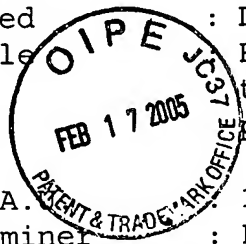


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/729,039 Confirmation No. 5294
Applicant : WILLIAMS
Filed : December 5, 2003
Title : Recombinant botulinum toxins having a soluble C-terminal portion of a heavy chain, an N-terminal portion of a heavy chain and a light chain
TC/A. : 1600/1645
Examiner : PORTNER, V.A.



Docket No. : D2939-CIPCONDIV4
Customer No. : 33197

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal service as first class mail with sufficient postage in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 14, 2005
Janet McGee

AMENDMENT AND

PETITION FOR A TWO-MONTH EXTENSION OF TIME

Sir:

This response is being submitted in reply to the Office Action of September 15, 2004. A response was due December 15, 2004. Applicant hereby petitions for a two-month extension of time. A response with a two-month extension of time is due February 15, 2005. The Commissioner is hereby authorized to charge the extension of time fee (\$450.00) to Deposit Account No. 01-0885. Accordingly, this response is being timely filed. In response to the Office Action, please amend the above-identified application as follows:

Amendments to the Specification begin on page 3 of this paper.

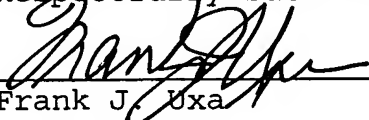
the prior art disclose, teach, or even suggest the present compositions including the additional feature or features recited in any of the present dependent claims. Therefore, applicant submits that each of the present claims is separately patentable over the prior art.

Conclusion

In conclusion, applicant has shown that the present claims are not subject to rejection for double patenting, satisfy the requirements of 35 U.S.C. § 112, and are not anticipated by and are unobvious from and patentable over the prior art under 35 U.S.C. §§ 102 and 103. Therefore, applicant submits that the present claims, that is claims 25-31, are allowable. Therefore, applicant respectfully requests the Examiner to pass the above-identified application to issuance at an early date. Should any matters remain unresolved, the Examiner is requested to call (collect) applicant's attorney at the telephone number given below.

Date: 2/14/05

Respectfully submitted,



Frank J. Uxa

Registration No. 25,612
4 Venture, Suite 300
Irvine, California 92618
(949) 450-1750
(949) 450-1764 Facsimile

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Remarks/Arguments begin on page 6 of this paper.